IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.43484 of 2008
SANJAY KUMAR, S/o late Munshi Mahto, R/o Vill. Nekpur, P.S. Chhabilapur, Dist. Nalanda
Versus
STATE OF BIHAR

2/ 12.12.2008 Heard.

Petitioner is a fertilizer dealer. On 24th August, 2008, his shop was inspected when it was found that the Stock Register has been written up to 23rd August, 2008 showing stock of 1359 bags whereas on counting it was found that 1088 bags are physically available. It was also found that whereas petitioner according to his Stock Register was having 48 bags of manure but physically 62 bags of manure was found. The fertilizers and manure so found have been seized and a case has been initiated under the Fertilizer Control Act and the Essential Commodities Act against the petitioner. Petitioner contends that on 23rd August, 2008, he had sold 271 bags of fertilizer but such sale had not been reflected in the Stock Register. Petitioner further contends that 14 bags of manure belong to a different person, who has applied for release of the same before the appropriate Court of law.

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In view of what has been stated above, the application of the petitioner for grant of anticipatory bail is

allowed. Let the above named petitioner, in the event of arrest or surrender within six weeks from today, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of C.J.M., Nalanda at Biharsharif in connection with Rajgir P.S. Case No. 111 of 2008 subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

S.B.P **(Barin Ghosh, J.)**

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